

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Education Department – Allegation of corruption against Sri Kapati Ganga Raju, S/o Late Kannayya, Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District – Trapped on 23.10.2010 – Sanction of prosecution – Orders – Issued.

EDUCATION [SE-Vig.I (1)] DEPARTMENT

G.O.Ms.No. 57

Dated: 04.05.2011

ORDER:

Whereas, Sri Kapati Ganga Raju, S/o Late Kannayya, worked as Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District from 17.07.2009 to 23.10.2010 and by virtue of the post held by him, he falls under the category of Public Servant as defined U/s 2 (c) of Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. And whereas, Smt. Ch. Rajeswari, W/o Srirama Murthy, School Assistant (Biology), Z.P. High School, Gidijala, Anandapuram (M), Visakhapatnam District, had availed medical leave from 04.08.2010 to 02.09.2010 and joined in duty on 03.09.2010, duly submitting her joining report along with medical and fitness certificates to Sri Kapati Ganga Raju. Sri Kapati Ganga Raju delayed the preparation of her medical leave salary bill for the period, from 04.08.2010 to 02.09.2010 and regular salary bill for the remaining period for the month of September 2010, though she requested him for several times. When she met Sri Kapati Ganga Raju on 06.10.2010 and requested to sanction her pending salary bills, Sri Kapati Ganga Raju demanded her to pay a bribe of Rs.3,000/- to prepare and submit her salary bills in the Sub-Treasury. On her request, Sri Kapati Ganga Raju reduced the bribe amount to Rs. 2,000/- and informed her that the bills will be submitted only on payment of bribe amount. She agreed for the demand of Sri Kapati Ganga Raju, unwillingly. On that, Sri Kapati Ganga Raju got prepared the proceedings in Rc.No.9/HM/2010, dated 06.10.2010, duly sanctioning the 30 days of commuted leave to her, for the medical leave period. On 06.10.2010, Sri Kapate Ganga Raju also got prepared the salary bills pertaining to her for the months August and September 2010 through Sri B. Laxmi Ramam, School Asst. (English), attested his signatures on the said bills, kept the same in his office alimarih and did not submit the same in Sub-Treasury for encashment.

3. On 21.10.2010, having come to know that her bill were not submitted so far in the Sub-Treasury, Smt. Ch. Rajeswari met Sri Kapati Ganga Raju and requested him to submit her salary bills. But, Sri Kapati Ganga Raju refused to do so and insisted for payment of bribe. Since, Smt. Ch. Rajeswari had no other way, she agreed to his demand of Rs.2,000/-. Since, Smt. Ch. Rajeswari was not willing to give the bribe amount to Sri Kapati Ganga Raju, to get her work done. Smt. Ch. Rajeswari lodged complaint to the DSP, ACB, Visakhapatnam on 22.10.2010, requesting to take necessary action against Sri Kapati Ganga Raju, Head Master, Z.P. High School, Gidijala, Anandapuram Mandal of Visakhapatnam District.

4. And whereas, the Deputy Superintendent of Police, Anti-Corruption Bureau, Visakhapatnam, after due verification, registered the report of complainant Smt. Ch. Rajeswari, as a case in Cr.No.16/RCT-VSP/2010, U/s. 7 of Prevention of Corruption Act. 1988 (Central Act 49 of 1988) at 07.00 hours on 23.10.2010 and investigated into the matter.

5. And whereas, during the course of trap, on 23.10.2010 at about 10.15 hours Sri Kapati Ganga Raju, Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District demanded and accepted the bribe amount of Rs.2,000/- from Smt. Ch. Rajeswari. On further demanded by Sri Kapati Ganga Raju, Smt. Ch. Rajeswari took out the tainted currency from her hand bag and produced before him. Sri Kapati Ganga Raju asked her to hand over the said amount to the staff Secretary Sri G. Krishna and so saying he called Sri G. Krishna to his office room through Sri G. Srinivasa Rao, Computer Instructor and asked Sri G. Krishna to receive the amount from her. When, Sri G. Krishna refused to receive the amount, Sri Kapati Ganga Raju himself received the said amount from her with his right hand and asked Sri G. Krishna to keep the amount with him. But, Sri G. Krishna refused to keep the amount with him. On that, Sri Kapati Ganga Raju kept the tainted amount on the top of his office table.

(p.t.o.)

6. At the instance of DSP ACB, Sri Kapati Ganga Raju rinsed his both hand fingers in the glass tumblers containing colourless sodium carbonate solution one after the other and on doing so, the colourless sodium carbonate solution in which his right hand fingers rinsed turned to pink in colour and the colourless sodium carbonate solution in which his left hand fingers rinsed, remain unchanged. The bribe amount of Rs.2000/- was recovered from the top (upper surface) of his office table. The upper surface of his office table, which came into contact with the tainted currency, wiped with a cotton swab and dipped the same in the colourless sodium carbonate solution and on doing so, the solution turned light pink in colour and the resultant solution were transferred in to a separate bottles, closed, sealed, labeled and attested by Mediators and the DSP. The DSP, seized tainted cash of Rs.2,000/- and the other connected records, in the presence of Mediators under the cover of mediators report No.2, dated 23.10.2010.

7. And whereas, the above said acts of Sri Kapati Ganga Raju, Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District constitute offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

8. And whereas, the Government of Andhra Pradesh, Hyderabad being the competent authority to remove the aforesaid Sri Kapati Ganga Raju, Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District from the Government Service, after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, copies of documents and other material placed before them in respect of the aforesaid acts and having regard to the facts and circumstances of the case, consider that the above said Sri Kapati Ganga Raju, Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District should be prosecuted in a Court of Law for the aforesaid offences.

9. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) the Government of Andhra Pradesh, Hyderabad hereby accord sanction for the prosecution of the said Sri Kapati Ganga Raju, Head Master, Z.P. High School, Gidijala (V), Anandapuram Mandal of Visakhapatnam District for the above said offences punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of above said acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(Dr. D. SAMBASIVA RAO)
PRINCIPAL SECRETARY TO GOVERNMENT (SE)

To
The Director General,
Anti-Corruption Bureau, A.P., Hyderabad.

//Forwarded By Order//

Section Officer